

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

ROBERT COLLINS

CIVIL ACTION NO. 19-102-P

VERSUS

JUDGE FOOTE

JAMES LEBLANC, ET AL.

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

Before the court is Collin's motion for immediate transfer (Doc. 19) and motion for discovery (Doc. 21).

Transfer

Plaintiff is incarcerated at the Dixon Correctional Institute in Jackson, Louisiana. He seeks an immediate transfer to Elayn Hunt Correctional Center. He names the Louisiana Department of Public Safety & Corrections, James LeBlanc, the Warden of David Wade Correctional Center, John Bel Edwards, Jerry Goodwin, and Jeffery Bruce Fuller as defendants.

The United States Supreme Court has held that it is for state prison authorities to decide where a state prisoner is to be incarcerated, and that a prisoner has no right to challenge his place of incarceration. See Olim v. Wakinekona, 461 U.S. 238, 103 S.Ct. 1741, 75 L.Ed.2d 813 (1983); Meachum v. Fano, 427 U.S. 215, 96 S.Ct. 2532, 49 L.Ed.2d 451 (1976). Under Olim and Meachum, this court has no authority to order the State to transfer Plaintiff to another prison.

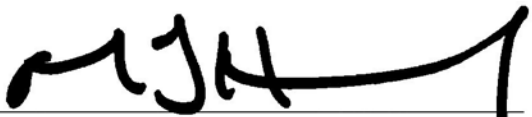
Discovery

This complaint is undergoing further review and the court has not yet determined if Defendants will be required to appear in this matter. If Defendants are required to make an appearance, the court will issue an order regarding discovery and deadlines for discovery. Plaintiff's motion is therefore premature.

Accordingly;

IT IS ORDERED that Plaintiff's motion for immediate transfer (Doc. 19) be **DENIED** and Plaintiff's motion for discovery (Doc. 21) be **DENIED** as premature.

THUS DONE AND SIGNED in chambers, in Shreveport, Louisiana, this the 21st day of February 2020.



Mark L. Hornsby
U.S. Magistrate Judge